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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/727,957	12/04/2003	Katsuyuki Uchida	36856.1158	7826

7590

08/15/2005

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EXAMINER
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HAM, SEUNGSOOK

ART UNIT	PAPER NUMBER
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2817

DATE MAILED: 08/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/727,957

Applicant(s)

UCHIDA ET AL.

Examiner

Seungsook Ham

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– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 July 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-7 and 9 is/are pending in the application.
- 4a) Of the above claim(s) 6 and 7 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>5/16/05, 7/22/05</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto et al. (WO 03/001665) in view of Bodley et al. (US Pat. Appl. Publ. '967).

Yamamoto et al. (figs. 1, 2, 6-15, for English translation, see GB 2,383,198 A, cited by the applicant) discloses a noise filter 11 comprising: a laminated body including magnetic layers 12a-12n, line conductors 13-18 which has a spiral shape and coiled around a center axis aligned in the direction of lamination of the magnetic layers, and ground conductors 19; one line conductor alternates with one ground conductor in lamination; with one ground conductor arranged on a top magnetic layer 12b and another ground conductor arranged on a bottom magnetic layer 12n; and the line conductors disposed between the magnetic layers being serially connected. The limitation, "causes little or no attenuation of an electrical signals...where the magnetic loss occurs" is inherent from the device of Yamamoto et al. since such limitation is an inherent characteristic of a noise filter.

Yamamoto et al. is silent as to whether the magnetic layer is made of a magnetic oxide. However, Yamamoto et al. teaches that the magnetic sheets/layers are made of

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a ceramic material having a magnetic property such as ferrite or the like (see p. 15, 1-5). It is well known in the art that ferrite can be made of magnetic oxide. Thus, it is obvious that the magnetic oxide can be used as the magnetic layers in the device of Yamamoto et al. Moreover, Bodley et al. (fig. 2) discloses a similar noise filter having a plurality of magnetic layers are made of a magnetic oxide and also can be used a Ni-Cu-Zn ferrite (see paragraph [0009]).

It would have been obvious to one of ordinary skill in the art to use magnetic oxide layers as the magnetic layers in the device of Yamamoto et al. since ferrite made of magnetic oxide is well known in the art (see Bodley et al.), or to broaden the attenuation frequency band of the filter device as taught by Bodley et al. (see paragraphs [0007]-[0009]).

Regarding claim 3, Yamamoto et al. also shows a line conductor has a meandering shape (fig. 16).

### ***Response to Arguments***

Applicant's arguments filed on 6/30, 2005 have been fully considered but they are not persuasive.

In response to the Applicant's argument that Yamamoto et al. "neither teach nor suggests anything at all about frequency ranges at which magnetic loss occurs, and certainly fails to teach or suggest the feature of 'the magnetic layer is made of a magnetic oxide and causes little or not attenuation of an electrical ...where the magnetic loss occurs' as recited in claim 1 (see REMARKS, p. 6), the examiner respectfully disagrees.

It should be noted that both the applicant claimed invention and Yamamoto et al. discloses a noise filter. Moreover, Yamamoto et al. discloses a low-pass filter (p. 10, lines 13-20) which is the same as the applicant's claimed invention (see limitation recited in claim 1, lines 9-12, and spec., p.11, last paragraph). Furthermore, Yamamoto et al. (figs. 7-9) shows the attenuation characteristics in relation to the permeabilities of the magnetic layer. These graphs are similar to the applicant's figures 5 and 6.

Yamamoto et al., in figures 7-9, clearly shows no attenuation (i.e., 0) at a lower frequency and the attenuation occurs as the frequency increases. Moreover, Yamamoto et al. shows the attenuation varies dependent on the permeability of the magnetic layers (see figs. 7-9 and spec. p. 11-12). Thus, although Yamamoto et al. use the term "heat loss", it is obvious that the term, "heat loss", is essentially related to the term, "magnetic loss". It should be noted that the applicant failed to submit any evidence as to why the noise filter of Yamamoto et al. does not function as the applicant's claimed invention. Moreover, the applicant failed to point out any structural differences between the applicant's claimed invention and the device of Yamamoto et al. Therefore, it is the examiner's position that the limitation, "causes little or no attenuation of an electrical signals...where the magnetic loss occurs" recited in claim 1 is inherent from the device of Yamamoto et al. (see also abstract).

In response to the applicant's argument related to Bodley et al., it should be noted that Bodley et al. is cited to show a ferrite comprised of magnetic oxide or Ni-Cu-Zn ferrite is well know in the art since Yamamoto et al. does not provide the specific magnetic material that used as a ferrite.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Seungsook Ham whose telephone number is (571) 272-2405. The examiner can normally be reached on Monday-Thursday, 8:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pascal can be reached on (571)-272-1769. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Seungsook Ham  
Primary Examiner  
Art Unit 2817

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